

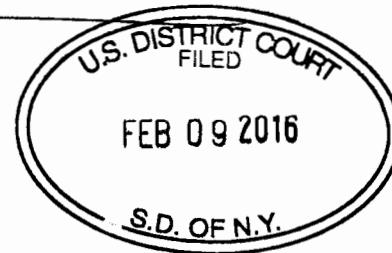
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Approved:

ANDREW D. BEATY  
 Assistant United States Attorney

Before: HONORABLE FRANK MAAS  
 United States Magistrate Judge  
 Southern District of New York



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UNITED STATES OF AMERICA : SEALED  
COMPLAINT

- v. - : Violation of  
 21 U.S.C. § 846

JAMES SALPIETRO, : COUNTY OF OFFENSE:  
 Defendant. : NEW YORK

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SOUTHERN DISTRICT OF NEW YORK, ss.:

CHRISTOPHER BASTOS, being duly sworn, deposes and says that he is a Detective of the New York City Police Department ("NYPD") and a member of the El Dorado Task Force of Homeland Security Investigations, Department of Homeland Security ("HSI"), and charges as follows:

COUNT ONE  
 (Narcotics Conspiracy)

1. From at least in or about 2013 up to at least in or about June 2014, in the Southern District of New York and elsewhere, JAMES SALPIETRO, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JAMES SALPIETRO, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance in violation of Title 21, United States Code, Section 841(a)(1).

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3. The controlled substances that JAMES SALPIETRO, the defendant, conspired to distribute and possess with intent to distribute was (1) a quantity of mixtures and substances containing a detectable amount of methylone (commonly referred to as "molly"), a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C); (2) a quantity of mixtures and substances containing a detectable amount of ethylone, which is an isomer of butylone, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C); and (3) a quantity of ketamine, a Schedule III controlled substance, in violation Title 21, United States Code, Section 841(b)(1)(E).

(Title 21, United States Code, Section 846.)

The bases for my knowledge and for the foregoing charges, are, in part, as follows:

4. I am a Detective with the NYPD and a member of the HSI El Dorado Task Force. I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with law enforcement agents, witnesses and others, as well as my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. Since in or about early 2013, HSI and other law enforcement have been investigating a drug trafficking and money laundering organization that is believed to be importing, among other substances, methylone via the mails. Based on my involvement in this investigation and my conversations with other law enforcement officers, I have learned, among other things, the following:

6. On or about June 28, 2013, officers with United States Customs and Border Protection ("CBP") in Chicago, Illinois, notified HSI officers that they had intercepted and seized a parcel sent from China ("Parcel-1") addressed to "Jonathan Salpietro" at a particular address on Fifth Avenue in New York, New York (the "Fifth Avenue Address"). Parcel-1 also

listed a particular telephone number as the contact telephone number for the recipient (the "Parcel Phone Number"). Law enforcement officers weighed and tested the contents of Parcel-1 and determined that it contained approximately 1.02 kilograms of a substance that tested positive for methylene.

7. On or about June 28, 2013, officers with CBP in Chicago, Illinois, also seized a second parcel sent from China ("Parcel-2") addressed to "Pinnacle Nutrition" in Bellview, New Jersey. Like Parcel-1, Parcel-2 listed the Parcel Phone Number as the contact telephone number for the recipient. Law enforcement officers weighed and tested the contents of Parcel-1 and determined that it contained approximately 2.03 kilograms of a substance that tested positive for methylene.

8. A virtual office business, which rents postal boxes, is located at the Fifth Avenue Address ("Store-1"). In or about September 2013, HSI officers interviewed an employee of Store-1 regarding mailbox #S253 ("Box #S253"). In the course of interviewing the owner of Store-1 and reviewing documents in the custody or control of Store-1, HSI officers learned, in sum and substance, the following:

a. On or about February 25, 2013, a mailbox service agreement was entered into by Store-1 and an individual using the name "Jonathan Santiago" and the business name "Advance Nutrition & Supplements" for Box #S253. "Jonathan Santiago" provided to Store-1, among other things, a particular phone number (the "Santiago Phone Number") as his contact telephone number and the email address mindbodyhealth100@yahoo.com.

b. As identification to open Box #S253, "Jonathan Santiago" provided to Store-1 a New Jersey State driver's license bearing the name "Jonathan Santiago," license number S5320 53571 02832. I have reviewed a copy of that driver's license, and, based on a comparison with a photograph maintained in the records of the Department of Homeland Security, the photograph included on the license appears to be a photograph of JAMES SALPIETRO, the defendant.

9. Based on my review of law enforcement databases and consultation with New Jersey State law enforcement officers, I have learned that the New Jersey State driver's license used by "Jonathan Santiago" to open Box #S253 was forged and does not exist in the New Jersey Department of Motor Vehicles ("DMV") system.

10. I have reviewed records from Yahoo!, which list the contact telephone number for mindbodyhealth100@yahoo.com as the Parcel Phone Number.

11. In or about mid-2013, I surveilled an individual whom I believe to be JAMES SALPIETRO, the defendant, picking up a package from Box #S253 at the Fifth Avenue Address.

12. In or about January 2013, a confidential informant ("CI-1")<sup>1</sup> informed a detective with the New York City Police Department ("NYPD") that JAMES SALPIETRO, the defendant, had given CI-1 a sample of molly. A later lab test revealed that the substance was approximately one gram of methylone. Thereafter, in or about October 2013, CI-1 purchased from SALPIETRO approximately seven grams of methylone and a small quantity of cocaine. The telephone number that CI-1 regularly used to call SALPIETRO was the Santiago Phone Number, used to open Box #S253.

13. In or about April 2014, a search warrant was obtained for a Gmail email address registered in the name of JAMES SALPIETRO, the defendant, and listed on SALPIETRO's U.S. passport application. From my review of certain materials obtained pursuant to that search warrant, I have learned, among other things, that on or about January 20, 2014, SALPIETRO sent an email in which he inquired about the status of his Bitcoin wallet and wrote that "my wallet[']s email account was mrbrownstone1000@tormail.org."

14. In connection with this investigation, in or about May 24, 2014, HSI personnel obtained and executed a search warrant on the Tormail account mrbrownstone1000@tormail.net/org. Based on my training and experience, I know that Tormail is an email service provider operating on the so-called "Dark Web," which conceals users' true identities and geographic locations. While it operated, I know that Tormail was frequently used by individuals engaged in criminal activity to avoid detection by law enforcement.

15. Based on my review of certain materials obtained pursuant to that search warrant, I believe that the

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<sup>1</sup> CI-1 is currently working for the NYPD in exchange for payment. CI-1 has provided reliable information in the past and has been corroborated by, among other ways, NYPD surveillance. During the time period described above, CI-1 was working in exchange for leniency in connection with New York State controlled substance charges. Specifically, in exchange for CI-1's cooperation, the felony charge on which CI-1 was arrested was reduced to a misdemeanor charge.

mrbrownstone1000@tormail.net/org account is used and controlled by JAMES SALPIETRO, the defendant, because, among other reasons:

a. In or about May 2013, emails were sent from the account ordering items to be shipped to a particular apartment on Crescent Street in Queens, New York (the "Crescent Street Apartment"). Based on my review of public and law enforcement databases, I know that, during the relevant time period, SALPIETRO resided at the Crescent Street Apartment.

b. In addition, emails were sent from the account include references to sending money via Western Union in the name of "Jonathan Santiago." As described above, "Jonathan Santiago" was a false identity used by SALPIETRO.

16. Furthermore, based on my review of certain materials obtained pursuant to the mrbrownstone1000@tormail.net/org search warrant, I have learned that the following exchanges regarding forged identity documents took place:

c. On or about December 28, 2012, mrbrownstone1000@tormail.net/org sent a message to a particular Tormail email account ("Account-1") that stated, in substance and in part: "on THE LAST JOHN SANTIAGO NEW JERSEY ID the hologram is smeared and you left off [f] the last 4 digits on the zip code . . . any way you can fix that[?] sorry to be a pain[n] . . . but im gonna send you more business and just want it to look right . . ."

d. On or about April 5, 2013, mrbrownstone1000@tormail.net/org sent a message to Account-1 that stated, in substance and in part: "here is my pic and here are two sigs for the two names i need to use . . . if you have access to real license ID numbers by any chance ill use them and the name it has bc when sending money which is what i use this for they punch in your id and can tell you if its wrong." Attached to the message was a photograph of an individual who was subsequently identified, based on a photograph maintained in the records of the Department of Homeland Security, as JAMES SALPIETRO, the defendant.

e. On or about April 8, 2013, mrbrownstone1000@tormail.net/org sent a message to Account-1 that stated, in substance and in part: "just make the ny ones and two more jersey ones . . . one for each name so 4 total . . . if you can make an older jersey id bc the newer one I had some problems with ill take the older one."

f. On or about April 8, 2013, mrbrownstone1000@tormail.net/org sent a message to Account-1 that requested, in substance and in part, "2 NY IDS WITH THE SAME PICTURE" in the names of "Vincent Anthony Devito" and "Jason Michael Sansone."

g. On or about April 8, 2013, mrbrownstone1000@tormail.net/org sent a message to Account-1 that stated, in substance and in part: "I need it [i.e., a forged identification document] for send[ing] money . . . do you know when western union ask[s] for your license number do they actually check it with the dmv or whoever or do they just keep it on file[?]"

h. On or about April 12, 2013, mrbrownstone1000@tormail.net/org sent a message to Account-1 that stated, in substance and in part: "the new york one looks good can you make the other nj license you have instead if not no big [deal] . . . gimme your bitcoin address please."

17. On or about March 25, 2014, HSI personnel at John F. Kennedy International Airport intercepted a package sent from Hong Kong ("Parcel-3") that had been mailed to a reshipping business in New York, for ultimate delivery to a hotel in Queens, New York (the "Hotel"). Agents determined that Parcel-3 contained approximately four kilograms of a substance that contained ethylone.<sup>2</sup>

a. Agents conducted a controlled delivery of the Packages to the Hotel and conducted surveillance in the vicinity of the Hotel. An individual subsequently identified as JAMES SALPIETRO, the defendant, came to the Hotel, took custody of Parcel-3, and exited the Hotel. In the vicinity of the Hotel, agents approached SALPIETRO, and, after questioning him, and arrested him. In connection with the arrest, SALPIETRO presented a New Jersey State driver's license issued to "Jason Michael Sansone" -- the same name in which a New Jersey State driver's license was ordered by the user of mrbrownstone1000@tormail.net/org -- and showing a photograph of SALPIETRO. SALPIETRO was subsequently released without being charged.

b. It was subsequently confirmed that the New Jersey State driver's license in the name of "Jason Michael Sansone" was forged.

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<sup>2</sup> Ethylone is an isomer of butylone, a Schedule I controlled substance, and an analog of methylone.

18. On or about April 2, 2014, officers with CBP in Chicago, Illinois, notified HSI officers that they had intercepted and seized a parcel sent from China ("Parcel-4") addressed to "JS Hair & Beauty Inc." at the Crescent Street Apartment address. Law enforcement officers weighed and tested the contents of Parcel-4 and determined that it contained approximately 1.02 kilograms of a substance that tested positive for ketamine.

19. In addition to the seizures described above, based on my review of certain materials obtained pursuant to the search warrant, I have learned that the [mrbrownstone1000@tormail.net/org](mailto:mrbrownstone1000@tormail.net/org) account has been used to order and pay for substantial quantities of controlled substances, including, but not limited to:

c. approximately three kilograms of crystal methylone in or about February 2013, to be sent to three different addresses;

d. over 900 grams of ketamine and ketamine crystal, between in or about February 2013 and May 2013; and

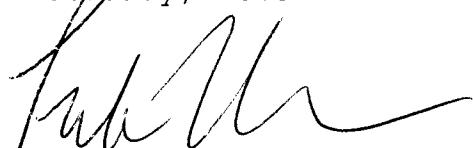
e. approximately 40 grams of MDMA, in or about February and March 2013.

20. Based on my training and experience, including my involvement in prior investigations and my discussions of prior investigations and trafficking intelligence with other law enforcement officers, I have learned that express mail parcels have become a method of choice by dealers of narcotics for the transportation of narcotics. I have also learned that international express mail parcels containing methylone, ethylone, and similar substances intended for delivery in the New York area often originate from specific source locations, including China.

WHEREFORE, deponent prays that JAMES SALPIETRO, the defendant, be imprisoned or bailed, as the case may be.

  
CHRISTOPHER BASTOS  
Special Agent  
Homeland Security Investigations,  
United States Department of  
Homeland Security

Sworn to before me this  
9th day of February, 2015

  
HONORABLE FRANK MAAS  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK